

THE NATIONAL REGISTER.

No. 4]

CITY OF WASHINGTON, JANUARY 22, 1820.

[Vol. IX.]

Published, every Saturday, by JONATHAN ELLIOT, at five dollars per annum—payable in advance.

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1st SESSION—16th CONGRESS.

HOUSE OF REPRESENTATIVES.

On the payment for horses or other property lost in the Seminole war.

Mr. REXA's remarks, continued from page 43.

In the years 1776, 1779, and 1780, they were engaged in war with the Cherokee Indians, and were successful, in the year 1780, during the revolutionary war, the British troops, aided by numerous bands of Tories, had overrun a great part of Georgia, or South and North Carolina. The British army, commanded by General Cornwallis, after the fatal battle of Camden, was advancing eastwardly, and the celebrated partisan officer Ferguson, with about twelve hundred British and Tories, had advanced near to the mountains on the east side; these things being heard on the west side of the mountains, a corps of about eight or nine hundred mounted volunteers, armed with rifles, assembled under their respective colonels Campbell, Shelby, and Sevier; they crossed the mountain, and, being joined by some volunteers of South and North Carolina, pursued Ferguson and his troops, came up with and attacked him on King's mountain, on the 7th of October 1780, and gained a complete victory. Ferguson, with several hundred of his troops, fell in the battle; the residue taken prisoners. On the 30th November 1780, Congress passed a resolution, expressing the high sense entertained of the spirited and military conduct of Colonel Campbell, and the officers and privates of the militia under his command, displayed in the action.

Mr. REXA said he could speak of the various military operations carried against the hostile Indians by volunteers under command of General Sevier, between the years 1784 and 1789, in which the Indians were defeated. Soon after the treaty of Holston, in 1791; the Cherokees began another war, which continued some years; during which the citizens of the then territory south of the river Ohio, were left to defend themselves; and they did defend themselves, and forced the Indians to be at rest for some time. Mr. R. said he need not speak of the military ardor and good conduct of the militia of Tennessee, under command of General Jackson, during the late Creek war, or of the thousands of them who were under his command in the defence of New-Orleans, or of the thousands of them who were at Mobile, under General Winchester. He said he spoke of these past events, to shew that the citizens of Tennessee were more disposed to perform military duty voluntarily, than otherwise. General Jackson knew their disposition and patri-

otism, and, as he observed in his letter of the 19th January 1818, had circumstances permitted, and time would have allowed, and the emergency demanded an appeal to the whole state, he had no doubt but five thousand men could have been raised. From what has been said on this subject, it evidently follows, that General Jackson did not raise an army of his own.

The next point is, how were these volunteers officered? The constitution of Tennessee was made in February, 1796. It provides that the militia shall elect all officers under the grade of general officers; that the field officers shall elect their brigadier generals, and that the brigadier generals and field officers shall elect their major generals. Hence, it follows, that the militia of Tennessee, when on military duty, are under command of officers of their own choice. General Jackson, in his circular to the militia officers, tells them that the grade of their officers to be determined by themselves; or the platoon officers of the regiment, and the officers raising companies to command them. When these brave men met him at Nashville on the 19th of January, and requested him to appoint the officers, he promptly refused, and replied, "agree among yourselves as to your officers." He stated he would appoint Colonel Hayne to lead them to Fort Scott. The officers then agreed that Colonel R. H. Dyer should command the first, and Colonel T. Williamson the second regiment. The other field officers were then agreed on by the meeting. The general stated to them the number of officers on the peace establishment; the officers replied, that the experience they had found that horsemen required more officers than footmen. He then said to them, "organize yourselves in a way you think proper; it will rest with the Government."

This, then, said Mr. R. appears to be the state of the case relative to these volunteer officers: that they, being officers of the militia, did agree upon and determine their respective commands in that brigade of volunteers. The letter of Col. Hayne, dated near Fayetteville, 9th February, 1818, to the Secretary at War, further elucidates this subject. Not one officer in that brigade of volunteers was commissioned by Gen. Jackson.

The Secretary at War, in his letter, of the 8th of February, 1818, to General Jackson, acquaints him with the entire approbation of the President, of all the measures which he had adopted to terminate the war with the Indians; and then states, "the honor of our army, as well as the interest of our country, require that it should be terminated as speedily as practicable; and the confidence reposed in your skill and promptitude; assures us that peace will be restored on such conditions as will make it honorable and permanent." These words convey, in the strongest language, ideas of the most powerful effect on the human mind. The same ideas are conveyed, although not in such explicit and strong terms, in the letter of the 26th December, 1817. These words contain a command to General Jackson to terminate the war; and his skill and promptitude are relied on. These words contain an appeal to him for the honor of our army; of which he then was, and now is, an officer of the

highest grade. They contain an appeal to him as a patriot, for the interest of our country. He was commanded to terminate the war as speedily as practicable, and ample power was confided to him to terminate it. Suppose he had not exercised that power? He did exercise it. He could not terminate the war without additional force. He called for that additional force, it arose, it came voluntarily, in a manner instantaneously: composed of as brave men as ever faced danger. The war was terminated to the honor of our army, and to the interest of our country, without violating the Constitution of the United States, or the Constitution of Tennessee.

The people of Tennessee have for many years been fighting for the honor and interest of our country; and, wherever they fought, they have been successful. Previous to the late Seminole war, they had put down all the contiguous hostile tribes of Indians, and were in peace, in safety, and out of danger. What but pure patriotism, could induce one thousand brave men voluntarily to rise and leave their comfortable homes, in the most inclement season of the year, to march hundreds of miles encountering hunger, cold, and hardships of every kind in swamps, morasses, and deserts, passing dead waters, and swimming rivers. They encountered these difficulties; they fought with a savage enemy—that enemy was subdued, and peace restored to our southern frontiers. To the suffering of such privations, and enduring such hardships, and fighting with such an enemy, the consideration of pay was nothing to these volunteers; but they have the greatest reward, the approbation of the great majority, if not all, of the people of this nation; and they have the approbation of the President of the United States, and the voice of the people is with him.

I hope, said Mr. R. this bill will not be postponed; but that it will become a law; to the end, that the patriotic volunteers who accompanied general Jackson may be indemnified for their property lost in that war. He said, that, in the course of his observations, he had unavoidably been led to notice some of the exertions made to support the honor and safety of the United States, by the people of Tennessee, one of whose Representatives he had the honor to be, and that he ever would rejoice in being the representative of such people.

Mr. Gross, of New-York, said he had not given it as his opinion, that it does not become the dignity of the House to get rid of an unjust claim. If the claim was unjust, it would be better to meet a claim directly than to get rid of it in a side way manner. But he could not conceive wherein was the injustice of this claim. Was it unjust, when citizens were in the service of their country, and lost their property by the neglect of its officers, that they should be compensated for the loss? Was this demand less just because they had magnanimously answered the call of general Jackson to follow him to the field in defence of their country, when he was certain of the approbation by the country of his conduct, and no objection to it was made by the only person whose authority could be supposed to be encroached upon? Had this person, the governor of Tennessee, complained of general Jackson's conduct? Had he shewn any disapprobation of it, or made any remonstrance against this act of the general? No, sir, said Mr. Gross: he, too, I presume, felt and acted from the same patriotic motives as these volunteers. When measures were taken to save his country, he did not stand upon his dignity. So far from it, that it

appears from every thing we see, that the governor approved the whole conduct of general Jackson.—But suppose the governor had even found fault with it, does it appear, said Mr. G. that these generous Tennesseans had any other object in view than the public good? Is it just, then, in answer to these claims for losses sustained, to tell them, you acted under the authority and direction of a man who had not a strict legal right to call for your services? Notwithstanding I am as sensible as any one can be of my want of experience in these matters, I must confess, said Mr. G. I do not think it the proper course. As for the appropriation which had been spoken of, it was nothing to the purpose in the present debate: it was not made for the purpose of paying for the loss of the horses, but for the use of them. Under the present laws, a volunteer, losing his horse, gets nothing for him. If this was justice or equity, Mr. G. confessed he did not well understand them.

Mr. Jones said, when these mounted volunteers were called into service it was on the condition of receiving a certain sum per month for their services, and a certain amount per day for the use of each horse—and the government had further contracted to furnish the men with provisions, and their horses with forage. From the failure in the latter particular, many of them lost their horses: ought not the government to compensate their loss? But, it was said, these men had been acting without authority from their country, and therefore ought not to be paid. It would be well for us to remember, said Mr. J. that not only the President of the United States has recognised the legality of their service, but that Congress itself has passed a law to pay these men for their services. Had not Congress, Mr. J. asked, by so doing, sanctioned the employment of these men? He contended it had. With respect to the commissions issued to the officers commanding these volunteers, respecting which an enquiry had been made by the gentleman from Virginia, Mr. J. said he did not know that they had any, except the voice of those whom they commanded. He had himself, he said, had the honor to command a volunteer corps for three or four months, and he never had a commission.—The government recognised and paid him for his services, though without a commission; and they had in the same manner paid others doing the same labor—fighting the battles of their country. These men, he added, did not claim as a favor, but as a matter of right, the payment for their horses killed in battle or perished for want of food. And, Mr. J. said, something was due, in acting on this subject, to good policy—which seemed to him to require that Congress should not disappoint that confidence which the soldier has that he will be paid by the government for his services and losses. If this bill should not pass, the effect of the refusal might be expected to be found in the event of another war, if their services should be again wanting.

Mr. Cannon spoke to the point of the appropriation of 90,000 dollars, said to have been appropriated for paying for the mounted men employed in the Seminole war. To satisfy himself on this subject, he had addressed a note to the Paymaster General, to which he had just received an answer, which he read to shew that his first impressions on the subject were now confirmed. [This note gave direct, but brief answers to several questions propounded by Mr. Cannon, the most material of which was, whether a part of the 90,000 dollars in question had not been applied to the payment for

the use of horses during the late war with England, which had not been previously paid for? To which the answer was, Yes.] If, Mr. C said, the Secretary of War, or any one else, had deviated from the letter of the appropriation in this or any other case, he hoped the house would not visit his sins upon the citizen soldiers of the country. And further, without going into the question of legality of orders, or becoming the advocate of the Major General in respect to that campaign, he would say thus much; if that officer had acted incorrectly, let the punishment fall on him, and not on those who acted under him, in a subordinate capacity. Mr. C said he would go as far as any one, where an officer had, as was now contended, trampled on the liberties of the country, to punish him therefor; but, said he, we have no right to extend the punishment to those who ranged themselves under the officers whom you have appointed to command.

Mr. JOHNSON, of Va. said he did not rise to enter anew into the discussion of this subject, but to notice a remark of the gentleman from Tennessee, over the way. If any thing could go to shew the danger of precedent in this government, the case stated by the gentleman from Tennessee (Mr. Jones) would conclusively confirm it. To what, said Mr. J. are we referred? To the appropriation of last session for the pay of those persons engaged in the Seminole expedition. And I ask those members, who were members of the last Congress, to say what was the state of facts on this subject? Did we know, at the time that three or four weeks were spent in the discussion of the question, arising out of the Seminole war, that general Jackson had, of his own authority, organised a volunteer force? No, sir; the President of the United States, or the Secretary of War, for reasons best known to themselves, did not transmit to Congress the document establishing that fact. It was just at the close of the session that, in a report made by a committee of the Senate, the document was first disclosed. We, said Mr. J. until that report was made, knew nothing either of the use of these volunteers, or of the order to general Gaines to take possession of St. Augustine. This fact came out in consequence of an investigation by the Senate committee. Is, then, our appropriation, made in general terms, to be construed as sanctioning this abuse of authority? But the gentleman on my right (Mr. Cannon) says, if any sin has been committed by the President, or the military commander, we ought not to visit it on the heads of the soldiers. Mr. J. said he did not mean so to do; but to refuse them payment of a claim set up for having done that which they had no right to do. No commander could have raised these troops without their own consent; for it is vain to tell me, said Mr. J. that, if any portion of the people of this country should be called on to leave their homes to make a military excursion beyond the limits of the U. States they ought to set forth without first enquiring whether the laws of the country justify the expedition.

Mr. SMITH, of Maryland, said the question now seemed to be, whether the War carried on against the Seminole Indians was a legal war. If, by a legal war, gentlemen meant a war preceded by a declaration by Congress, it was not. But it was an authorized war, as being carried on against Indians. If he recollected right, there was an application from Georgia for the defence of the frontier: a Message on the subject was sent to Congress, and on the 19th of February, 1818, an appropriation

was made to pay the Georgia Militia. [Mr. Johnson said, his objection to the legality of the war, referred only to the use of volunteers without the authority of the law.] Mr. Smith resumed. In the session of 1817-18 said he, we knew that a war existed between us and the Seminoles; that the war must be carried on; and, for carrying it on, we appropriated a sum of money. An order was given to General Jackson to proceed and to take command of the whole force; and a discretion was given to him, if the force supposed to be in service was not sufficient, to call for any detachments of militia which he might find necessary. Now, Mr. S. said, he wanted to know, where was the difference between a draft of Militia, and a call for volunteers from that very militia. The gentleman from Virginia had said, that the volunteers, during the war with Great Britain, were authorized by law, and were then legal; but otherwise not legal. The volunteers authorized by law, during the British war, were for 12 months, and offered by the President of the United States, and not militia volunteers. The regular mode of drafting the militia, Mr. S. said, was to take, by lot, a sufficient number; but, if time did not permit this operation, volunteers were called for. Still, though volunteers, they were militia, to all intents and purposes, and not volunteer soldiers. At the time General Jackson received the orders which placed him in actual command of the forces operating against the Seminoles, he was not at the seat of government of Tennessee. Anxious to terminate the war as early as practicable, he called for volunteers; he informed the Governor of Tennessee that he had done so, and the Governor approved the act. It is a very common thing to take volunteers who offer themselves, instead of making a draft from the militia. When Baltimore was in danger, the militia of the adjoining state of Pennsylvania were in an extraordinary situation. The Militia Law had ceased to exist, and not a man in the state had a valid commission. But they did not wait for law or for orders; they came to Baltimore, in number 1500. What did the Commanding Officer at Baltimore do? Did he turn them away? No; he took them into service, he desired them to choose their company officers, and that the latter choose their field officers. It was done; and these men were paid for their services during the whole time they were so embodied. With regard to this bill, Mr. S. considered the law of 1816 as a complete precedent for it, and not an unjust one. When men go into service as mounted volunteers, they are taught to believe the government will furnish them with forage, and if the government does not furnish the forage, it is morally bound to pay for the losses sustained in consequence of such failure.

Mr. SMITH, of Virginia, said that he had hoped never again to have occasion to speak in that house concerning the Seminole war; that he would not now say a word on the subject, were it not that it appeared to him to be misunderstood by some gentlemen who had addressed the house.

When petitioners apply, said Mr. S. to this body, it is an admission, on their part, that the existing laws will not relieve them. A critical examination of what the law is, seems, therefore, unnecessary. The proper question to be considered here is—what does justice require to be done?

It has been said by some gentlemen that the horses, for which compensation is now claimed, were lost in an illegal war. This is a mistake. If gentlemen will examine the act, entitled "An act

to increase the pay of the militia while in actual service, and for other purposes," passed on the 20th day of April, 1818, and which will be found on page 94 of the acts of that session, they will find that Congress declared the war. In that act it is declared that the widows and orphans of the militia called into service, or who may be called into said service, "in prosecuting said war" against the Seminole Indians, and die or be killed in service, shall have pensions. Here is an acknowledgment of the existing state of war between the United States and the Seminole Indians; and such a recognition is the only declaration of war necessary to be made by Congress in any case.

It has also been said that the troops employed were raised by the General himself without any legal authority; his own army. If gentlemen will turn to page 100 of the acts of the same session of Congress, they will find this appropriation: "For expenses of mounted volunteers, ninety thousand dollars." This appropriation of money to pay a description of troops not previously authorized by any existing law; a force which consisted neither of regulars nor militia, as organized by law; was in itself an authority to employ the kind of troops described, to wit: "mounted volunteers." Congress could not mean, by this description, the militia, or organized and officered by the states; but volunteers, organized and officered according to the usage of volunteers. That usage is for the men to assemble and elect their own officers, whose rank is recognized when they are received into the service. In this manner the volunteers who make this claim were raised, organized, and officered; and this mode of conferred rank was peculiarly proper in Tennessee, where, by the militia law of the state, the men elect their officers under a certain grade, and the higher grades are filled by an election made by the officers. Congress having authorized the employment of such irregular troops, it does not appear to have been important whether the call on the patriotism of the young men of the country was made by the President, by the Secretary of War, or by the commanding General. They were mustered into the service of the United States, and they did their duty. Those are the material facts in the case.

Had militia been called for by the commanding General under the orders which have been read, the call would necessarily have been made on the governor of Tennessee; but as the act of Congress authorized the employment of "mounted volunteers," no call on the governor seems to have been necessary. It was not necessary that they should procure his approbation before they tendered their services, nor was it necessary that the commanding General should procure his approbation before he accepted their offered services. But respect for the governor induced the commanding General to inform him of the course pursued, which met his entire approbation.

The employment of mounted volunteers having been expressly authorized by law, and such troops having been employed in conformity to the law, the question which arises is—Whether is it just that they should receive compensation for horses lost in the service? Every mounted volunteer who lost his horse in the war with Great Britain received from the government another horse in return; and after having received such other horse, he was allowed 40 cents per day for the use thereof. As the mounted volunteers who served in the Seminole war, and lost their horses, did not receive other

horses in their stead it seems to be just that they should receive the value of the horses lost. Justice is equal; and the same measure of justice should be rendered to the mounted volunteers who served in the Seminole war that was rendered to the mounted volunteers who served in the war with Great Britain.

Let not the claim of those highly meritorious men be prejudiced by any remarks that have been made on the conduct of the commanding general in that campaign. It is not General Jackson who makes the claim. He asks nothing of the government. This application comes from the gallant men who, at his call, flew to the defence of their country. Sir, we should cherish the sacred fire that burns in the breasts of the men of Tennessee. They stand distinguished in the foremost rank of the patriots and heroes of the United States.

Mr. STEVENS, of Conn. made a few observations against the indefinite postponement, preferring that the bill should take the usual course of other bills. Amendments might be made to it which would make it acceptable even to those now opposed to it. The principles of the bill, it appeared, had been established in former cases, in which compensation had been made. If those horses had been lost in consequence of the want of forage, it seemed to be as proper that their owners should be indemnified for the loss of their horses, as that others should receive pensions for bodily injuries incurred in the service.

The House adjourned without deciding the question.

THURSDAY, DEC. 23.

A vote was this morning passed, on motion of Mr. Foot, of Connecticut, calling for certain information respecting the payment for horses lost during the British war, &c. and the rules of decision established in such cases.

When the bill was called up, which was the subject of the above Debate, a motion was made by Mr. Foot, to postpone it, till this information should be received. The motion was opposed by Messrs. Brothier and Jones, but prevailed, by a vote of 82 to 60.

The bill has not since been called up.

JANUARY 11.

The following resolution was yesterday adopted, on the motion of Mr. CANNON, but was overlooked at the time:

"Resolved, That the committee on military affairs be instructed to enquire into the expediency of reducing, or entirely stopping, the expenditures on military fortifications."

Mr. S. MOORE presented the petition of sundry farmers, citizens of Bucks county, Pennsylvania, on the subject of the Tariff, praying for such a modification of it as will afford to the various departments of domestic industry effectual support; which was read, and referred to the committee on manufactures.

Mr. ANDERSON, from the committee on the public lands, who were instructed "to enquire into the expediency of granting to each state a tract of land, not exceeding one hundred thousand acres, for the endowment of an University in each state," reported a resolution, "that it is inexpedient to grant any tract of land to a state for the purpose of endowing an university;" which report was read and ordered to lie on the table.

Mr. *Anderson*, from the same committee, made a report on the petition of the general assembly of the state of Illinois, for a donation of 36 sections of woodland for the support of the Saline on Shoal Creek, adverse to the prayer of the petition; which was also ordered to lie on the table.

Mr. *KENT*, from the committee for the District of Columbia, to whom was referred the memorial of the board of trustees of the Washington Infirmary, reported adversely to the said memorial; which report was adopted by the house.

Mr. *KENT*, from the same committee, reported a bill for the benefit of the Columbian Institute for the promotion of arts and sciences in the city of Washington; which was twice read, and made the order of the day for Monday next.

Mr. *SEAKINS* submitted the following resolution: Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of amending the act of Congress concerning the faith and credit to be given to the records and judicial proceedings of the courts of any state, authenticated and produced in evidence in any other court within the U. States, and the effect thereof.

This resolution having been read, Mr. *STROTHER* moved that it lie on the table; which motion being rejected, the resolution was then adopted.

On motion of Mr. *SLACUM*, it was

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of providing by law for the recovery of interest on all balances admitted to be due to the U. States by receivers or holders of public money, commencing at the time at which their accounts are made up, though not finally acted on, until paid.

And farther, if the accounts are not rendered at the proper department, within the time prescribed by law, that they enquire into the expediency of charging interest on the whole sum in the hands of said defaulter, from the time the same was received, until the accounts are thus rendered.

On motion of Mr. *PINDALL*, it was

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of altering the time for holding the courts judicial district of Virginia west of the Alleghany mountain.

The House then on motion of Mr. *TAYLOR*, went into committee of the whole, Mr. *LIVERMORE* in the chair, on the report of the committee of elections on the memorial of Robert C. Mallary contesting the election of O. Samuel C. Merrill, of Vermont.

The report (which is adverse to Mr. Merrill, the sitting member) having been read by the clerk—

Mr. *WHITMAN*, of Massachusetts, rose, and opposed it at length, and argued in favor of the right of the sitting member; after which

Mr. *MALLARY*, who had been assigned a seat in the house during this discussion, rose, and occupied the floor in a speech of upwards of one hour in length, in maintaining his right to the seat in question; and, having concluded.

The committee rose, reported progress, and obtained leave to sit again; and the documents in the case were ordered to be printed. And the House adjourned.

WEDNESDAY, JANUARY 12.

Mr. *SMITH*, of Md from the committee of ways and means, in pursuance of and in conformity to the resolutions of Mr. Lowndes, referred to the committee on the 29th ult. reported a bill in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy depart-

ments. Mr. *S.* also, from the same committee, reported a bill extending the time allowed for the redemption of land sold for direct taxes: which bills were severally twice read and committed.

Mr. *S.* also reported the concurrence of the committee of ways and means in the amendments of the Senate to the bill making a partial appropriation for the military service for 1820, which amendments were committed to a committee of the whole.

Mr. *TAYLOR*, from the committee of elections, made a report on the petition of James Guyon, jun. contesting the election of Ebenezer Sage, a member returned as elected from the state of New-York, declaring that Mr. Guyon is entitled to a seat, and that Mr. Sage is not. The report was read and committed.

Mr. *WILLIAMS*, of N. C. from the committee of Claims, made unfavorable reports on the petitions of John G. Bogert and of Edward Kerrigan; the first of which was ordered to lie on the table, and the last concurred in.

Mr. *BEECHER*, from the Committee on the Judiciary, made an unfavorable report on the petition of Jacob Greer; which was read and agreed to by the House.

Mr. *CANNON*, from the Committee on the Militia, to whom was referred an enquiry into the expediency of clothing the militia at the public expence, when called into the service of the United States, or of allowing them an equivalent in money, made a report on the subject, accompanied by a bill providing for that object; which was twice read and committed.

Mr. *ROBERTSON*, of Kentucky, from the select committee to whom was referred the memorial of the Kentucky legislature on the petition of Christopher Miller, made a report thereon, accompanied by a bill for the relief of the said petitioner which was twice read and committed.

The Speaker laid before the House a letter from the Secretary of War transmitting a copy to the rules and regulations of the commissioner adopted in relation to the execution of the act of April, 1816, to pay for property lost in the military service; rendered in obedience to a resolution of the 23d ult. The report was read and ordered to lie on the table.

Resolutions were adopted on motion of Mr. *WOODBRIDGE* and Mr. *LATHROP*, respectively, directing an enquiry into the expediency of certain post roads.

Mr. *TRACEY* moved the adoption of the following resolution:

Resolved, That the President of the U. States be requested to transmit to this House a statement shewing the contracts made in the Engineer and Ordnance Departments, since the peace of 1815, and all contracts relating to said departments, made by an officer or agent of government; the manner of procuring the proposals for such contracts, whether in every case by public advertising or otherwise; the names and residence of the contractors, and the names and residence of the sureties for such contractors as have failed in the performance of their contracts; the extent of their respective defalcations, and of the loss probable to be sustained by the government therefrom. Also, stating the number of arsenals which have been constructed or commenced; the places where constructed or commenced; the amount expended upon each; also a description of the works appertaining to each, and the estimated expence of completing them.

And on the question to adopt the said resolution, it was negative, and the resolution rejected.

Mr. BUTLER, of N. H. communicated a memorial from Mr. Merrill, in the case of his contested election, praying for further time to establish certain facts to sustain his right to a seat in the house, which was read and referred; and Mr. B. moved that the committee of the whole be discharged from the further consideration of the report of the committee of elections on the contested election of Mr. Merrill, and that it be recommitted to that committee.

This motion, after some discussion, in which the motion was supported by the mover and opposed by Mr. TAYLOR, was negative.

The house then resolved itself, on motion of Mr. SMITH of Md. into a committee of the whole, Mr. SMITH of N. C. in the chair, on the bill (returned from the Senate with amendments, providing a certain sum for the national armories, and another sum for the settlement of outstanding claims) making a partial appropriation for the military service of the current year.

Some conversation passed between Mr. STORRS and Mr. SMITH of Md. arising from an enquiry of the former concerning the disbursement of last year's appropriations for armories, &c. and the propriety of making now a partial appropriation for those objects.

The committee then rose and reported their concurrence in the amendments; which report was agreed to by the house.

The house next proceeded, according to the order of the day, again to resolve itself into a committee of the whole (Mr. LIVERMORE in the chair,) on the report of the committee of elections on the contested election of Mr. Merrill, of Vt.

Mr. RANDOLPH spoke a short time, to vindicate the decision of this house, in 1804, in the case of the contested election between Mr. Spalding and Mr. Mead, (which had been cited in the present case,) and, without going into the merits of the present case, to shew that there was no analogy between it and the case decided in 1804.

He was replied to by M. TAYLOR, who argued to shew that such an analogy did exist in a strong degree; and in support of the report of the committee of elections.

The report of the committee was supported also by Messrs. HOLMES, GROSS, and HENPHILL, and was opposed by Messrs. STORRS, BROWN, and WHITMAN; the last named gentleman moving that the report be so amended as to reverse it. The committee rose and reported their concurrence in the resolutions of the committee of elections.

The question was then taken on the resolution declaring that Mr. Merrill is not entitled to a seat in this house, and decided in the affirmative by a large majority.

Before taking the question on the other resolutions of the Report, which declares Mr. Mallary entitled to the seat, a motion was made to adjourn; adjourned.

JANUARY. 13.

Mr. ANDERSON, from the committee on the public lands, made unfavorable reports on the petitions of sundry inhabitants of the territory of Michigan, late soldiers in the army; and on the petitions of Wm. Wright and of Francis Hodge; which were read, and the first laid on the table, and the remainder concurred in.

Mr. ANDERSON, from the same committee, reported a bill for the establishment of additional land of-

ficers in the state of Illinois; which was twice read and committed.

Mr. WILLIAMS, of N. C. from the committee of claims, made unfavorable reports on the petitions of Robert Carr Lane and of Charles Townsend which were severally read and ordered to lie on the table.

Mr. CAMPBELL, from the committee on private land claims, made an unfavorable report on the petition of Charlotte P. Trudeau; which was read and concurred in.

On motion of Mr. WHITMAN, it was

Resolved, That a committee be appointed to enquire into the expediency of reviving and continuing in force, for a limited time, so much of an act, the provisions of which partially expired on the 1st day of November last, entitled "An act regulating the currency within the United States of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five franc pieces," as relates to the gold coins of those countries.

Mr. BAUSA, of Ohio, moved the adoption of the following resolution:

Resolved, That a select committee be instructed to consider the expediency of fixing the ratio of representation of the House of Representatives of the United States, to take effect and be computed according to the rule prescribed by the constitution, upon the census next to be taken; with leave to report by bill or otherwise.

Mr. WHITMAN objected to the resolution, on the ground that it would be better to wait until the census was taken, before any steps were adopted to fix the ratio, when the house would have all the information, and the whole subject before them.—Any proceedings on this subject, at present, would take place without the proper information, and would be premature, and would, moreover, be entirely useless, should the next Congress differ in opinion from the present, &c.

The question was put, without further discussion, on agreeing to the resolution, and lost—ayes 40, noes 56.

Mr. COOKE, of Tenn. submitted the following resolution for consideration:

Resolved, That the secretary of the Treasury be directed to report to the house whether any, and, if any, what, revenue is derived to the Government of the United States from the fur trade.

Some discussion took place on this motion, in which Messrs. LIVERMORE and SMITH, of Md. objected to it, as useless and unnecessary, inasmuch as furs being an article of export only, no revenue could be derived from them, &c. It was supported by the mover, as calling for information on a subject to which the attention of the House had been directed, &c.

The question being put, on adopting the resolution; it was negative—ayes 40.

THE CONTESTED SEAT.

The House then, according to the order of the day, resumed the consideration of the remainder of the report of the committee of Elections, on the contested election of Mr. MERRILL, of Vt. The House having yesterday agreed to the first resolution, declaring Mr. Merrill not entitled to a seat—the question now under consideration was, on agreeing to the second resolution of the report which declares that "Rollin C. Mallary is entitled to a seat in this House."

An earnest debate followed on this resolution, which continued till near 4 o'clock. The resolution and the right of the petitioner to a seat, was advocated by Messrs. Livermore, Baldwin, Strong,

of N. Y. Culpeper, Taylor, and Gross, of N. York. The resolution was opposed, and of course the right of the applicant to the seat, by Messrs Butler, of N. H. Pindall, Claggett, Randolph, Storrs, Holmes, and Anderson.

The question was finally decided in the affirmative, by yeas and nays, as follows:

For the resolution

116

Against it

47

So it was decided that Rollin C. Mallory is entitled to a seat in this House; and Mr. M. came forward, was qualified, and took his seat accordingly.

The Speaker laid before the House a letter from the Secretary of the Treasury, transmitting such information as the government possess in relation to the illicit introduction of slaves, in obedience to a resolution of the 31st ult.

The Speaker also laid before the house a report of the Secretary of the Treasury of the expenses of the Judiciary of the District of Columbia, made in obedience to a resolution of the 7th inst.

Both communications were laid on the table, and ordered to be printed; and—the House adjourned.

JANUARY 14.

Mr. REEA, from the committee of Pensions and Revolutionary Claims, made unfavorable reports on the petitions of Barnabas Quigley, of John Mercereau, and of John Craine; which were severally read: the two first concurred in, and the last laid on the table.

Mr. R. from the same committee, reported a bill for the relief of Samuel B. Beall, which was twice read and committed.

Mr. Williams, of N. C. from the committee of Claims, made unfavorable reports on the petitions of Richard M. Essestyn, John Caldwell, Joseph S. Dutton, John B. Smith, John Perry, Samuel Walker, John Martin, Samuel Peterson, Hannah Peterson, and Henry Cain, which were all, on motion of Mr. W. ordered to lie on the table, except that on the petition of Henry Cain, which was, on motion of Mr. McLean, (who, at some length, controverted this report,) committed to a committee of the whole.

Mr. Campbell, from the committee on Private Land Claims, made a report favorable to the petition of James Mackay, of Missouri, accompanied by a bill for his relief, which was twice read and committed.

Mr. also, from the same committee, reported a bill supplementary to an act providing for cases of lost military land warrants and discharges for faithful services, which was also twice read and committed.

Mr. ANDERSON, from the committee on the Public Lands, made a report on the petition of sundry inhabitants of Illinois, accompanied by a bill for the relief of certain settlers in the Illinois territory, residing in the Vincennes District; which was twice read and committed.

Mr. SERGEANT, from the committee on the Judiciary, reported a bill to alter the terms of the Western Court of Virginia, which was twice read and ordered to be engrossed for a third reading.

Mr. BLOOMFIELD, from the committee on Revolutionary Pensions, made an unfavorable report on the application of the following persons for pension, viz—Samuel Gage, Elisha Cotton, Lemuel Tomlinson, Caleb Johnson, Victor Putnam, Garret Putnam, Jesse Foot, Isaac Bemis, David Franklin, Stephen Thomas, Thos Camp, Abel Blatchley, Samuel Black, Thomas Pierpoint, Nathaniel Edwards, Edward Connor, Teltas A. Forda, Christopher Peck, David Van Arnum, John Watson, John

Bishop; Jacob Treax, John Binney, James Cannon, Bazaleel Beebe, Ab. Lawrence, Luke Johnson, Solomon Griawolk, Elias Buell, and Nathaniel Cousins, all of which had been referred to the Secretary of War, and reported against by him; which report was read, and ordered to lie on the table.

The Speaker laid before the House a report of the Department of State, unfavorable to the petition of Jacob and Henry Schieffelin, which was referred to the committee of Claims.

Mr. SPOONER moved the adoption of the following resolutions:

1. Resolved, That the Secretary of the Treasury be directed to report, without delay, to this house the actual balance in the Treasury, and in the hands of the Treasurer: as agent of the Navy Department, and War Department, and the amount, if any, in the Treasury, subject to the control of the commissioners of the sinking fund, the first of January, 1820.

2. Resolved, That the Secretary of the Treasury be directed without delay to report to this house upon what principles he has estimated the receipts into the Treasury from the sales of public lands, for the year 1820.

3. Resolved, That the Secretary of the Treasury be directed, without delay, to report to this house what amount of the public debt will be redeemable, according to the terms of the contract, in the years 1820, 1821, 1822, 1823, and 1824, and what amount would be left of the sinking fund in each year respectively, after the payment of the interest of the public debt, and the portion of the principal which may be redeemable within the year.

4. Resolved, That the Secretary of the Treasury be directed, without delay, to report to this house the present price of the stocks, and whether, in his opinion, if the price is above par, it will probably continue so until the period at which the stock issued in the late war shall become redeemable; and if in his opinion, such should probably be the fact, whether it would not be advisable to apply the surplus of the sinking fund to the current expenses of the government, rather than resort to loans or taxes.

[After some discussion, principally referring to the phraseology of the resolutions, on motion of Mr. BATESMAN, the resolutions were ordered to be printed by a vote of 50 to 49.]

CONTESTED ELECTION.

The house then went into a committee of the whole, Mr. SMITH, of Md. in the chair, on the report of the committee of Elections on the petition of James Guyon, jr. contesting the right of Ebenezer Sage, one of the members returned as elected from the state of New York, which report declares that Mr. Sage is *not* entitled to a seat, and that Mr. Guyon is.

[The question involved in this case, was whether votes which were given for James Guyon, junior, but returned by the officer without the addition of "junior" should be allowed to J. G. jun. no other person of that name being a candidate. These votes had been withheld from Mr. G. which gave Mr. Sage a majority—by giving to J. Guyon, jun. all these votes it would make a majority in his favor. The committee decided to correct the error of the returning officer agreeably to the practice of the House of Representatives in similar cases heretofore. Mr. S. has not appeared to claim the seat.]

The house concurred in the report of the committee, which decided the petitioner entitled to a seat in the house; when he came forward, was qualified, and took his seat. Adjourned to Monday.

ADMISSION OF MAINE into the UNION.

HOUSE OF REPRESENTATIVES—DEC. 30.

The house having resolved itself into a committee of the whole on the bill, reported by a select committee, "for the admission of the state of Maine into the Union, and to extend the laws of the United States to said state," Mr. M. L. Hill being in the chair—

On motion of Mr. HOLMES, of Massachusetts, (the chairman of the select committee who reported the bill) it was amended by striking out the second section in the following words, the same being deemed superfluous in this bill:

Sec 2 And be it further enacted, That, until the next general census and apportionment of Representatives, the state of Massachusetts shall be entitled to, and may continue to have, thirteen Representatives; and the said state of Maine seven Representatives, in the House of Representatives of the United States.

And the question being stated, that the committee do rise and report the bill—

Mr. CLAY (Speaker) said, he was not yet prepared for this question. He was not opposed to the admission of the state of Maine into the Union. The intelligence and numerical strength of her population, her extent of territory, her separation from Old Massachusetts by intervening territory, her position in relation to the other members of the confederacy, all concurred to recommend the measure now proposed. But, before it was finally acted on, he wished to know, he said, whether certain doctrines of an alarming character, which, if persevered in, no man could tell where they would end—with respect to a restriction on the admission into the Union of states West of the Mississippi, were to be sustained on this floor. He wished to know what was the character of the conditions which Congress had a right to annex to the admission of new states, whether, in fact, in admitting a new state, there could be a partition of its sovereignty. He wished to know the extent of the principles which gentlemen meant to defend, in this respect; and particularly the extent to which they meant to carry these principles in relation to the country West of the Mississippi. On this subject, he said, there should be a serious pause; the question should be maturely weighed before this new mode of acquiring power was resorted to, which was proposed in regard to the state to be formed out of the present territory of Missouri. Heretofore, when the population and extent of a territory had been such as to entitle a territory to the privilege of self government and the rank of a state, the single question had presented itself to admit or reject it, without qualification. But new doctrines had sprung up on this subject; and, said he, before we take a single step to change the present relations of the members of the confederation, there should be a distinct understanding between the Representatives from the various parts of the country, as to the extent to which they are to be carried. If beyond the mountains Congress can exert the power of imposing restrictions on new states—can they not also on this side of them? If, there, they can impose hard conditions—conditions which strike vitally at the independence and power of the states—can they not also here? If, said he, the states of the West are to be subject to restrictions by Congress, whilst the Atlantic states are free from them, proclaim the distinction at once, announce your privileges and immunities: let us

have a clear and distinct understanding of what we are to expect. He would not, however, he said, press this part of the subject, but proceed to notice another point which presented itself in respect to this bill; wishing the honorable gentleman, under whose auspices this bill had been introduced into the house, distinctly to understand, that he had not the slightest indisposition to the representation of Maine into the Union on the footing of the other states of the Union.

Mr. C. then adverted to the section which had been stricken out of the bill respecting the representation of Maine on this floor. Looking back to 1791, what then took place on a similar subject with this? The state of Kentucky, if he was not egregiously mistaken in the history of the times, was delayed eighteen months before she was permitted to come in, until Vermont also was ready; and the two states would be found connected together in the act providing for their representation in Congress. He asked whether this precedent from the statute book might not be advantageously followed in regard to the two states now claiming admission into the Union; one being from the north east, the other from the west, as was the case in 1791? This, he said, was worthy of consideration. The precedent was from the early, and, as far at least as regards the construction of the constitution under which we act, the best times of the republic. Whether such an union of the two states took place now, or not, Mr. C. said he wished to know what was to be done on the subject of the representation of Maine? Did the gentleman mean to follow up this bill by another, providing specially for that object? The committee, he thought, ought not to rise and report the bill in its present shape, without satisfactory information on that point.

Mr. HOLMES rose, in reply. The application from the people of Maine to be admitted into the Union as one of the states, he said, was a distinct subject presented to the consideration of the committee; and the question was, shall Maine be or not be admittee into the Union? Upon that question, he was prepared to support the affirmative.

The other question, relative to the apportionment of representation between Maine and Massachusetts, he was ready to discuss now or at any other time; and the only reason why he had to expunge the section relative to that point from the present bill was, that there was some uncertainty from the practice which had hitherto prevailed on the admission of new states, as to the apportionment of the representation. For himself, he said, he had entertained no doubt on the subject, until he saw the precedent to which the gentleman had alluded. He had felt no doubt that, when a state is formed from a portion of another state, and the relative proportion of the territory and population known, the representation should stand as at present, until a new census was taken. But, he said, this precedent, with regard to Kentucky, had staggered him. That state had been formed from a portion of the territory of Virginia, and two representatives on this floor were given to Kentucky, without diminishing the number of representatives from the state of Virginia.

This was a precedent which he thought did not exactly accord with the principles of the constitution, which laid down a different rule for the apportionment of representation. It was possible, he said, there was some reason, which we do not know, which induced the course pursued on that occasion. Possibly it was then determined that, if a state sent

ing fifty representatives, should be divided into two states, the original state should continue to send her fifty members, and the new state should send twenty-five. If Congress had so determined, he apprehended they had determined against the provisions of the constitution. Probably Congress then thought they had the power which they exercised, inasmuch as the existing apportionment of Representatives among the states had been made by the framers of the constitution, and not according to an exact enumeration of the people. Probably the people in that portion of the territory had increased so much faster than the rest, as, in the opinion of Congress, to entitle them to the two Representatives which were thus additionally given. But this precedent proved, that, between one apportionment and another, the Congress have a right to modify that apportionment, where circumstances make it necessary. However it might be settled in matter of form in the present case, Mr. H. said that the parties concerned would be satisfied that Maine has the seven Representatives, which, according to the last enumeration that portion of the territory of Massachusetts is entitled to, and Massachusetts would be content to have the remaining thirteen Representatives to which her population entitled her. If the doctrine established, in the case of Kentucky, should be sustained on this occasion, Massachusetts would still have her twenty Representatives, and Maine would be entitled to seven. That doctrine, he said, would be monstrous, and he should not claim for Massachusetts the advantage of the precedent.

The truth was, he said, in regard to this whole subject, that the separation of Maine from Massachusetts depended on a contingency, and Congress could defeat it if they would. Unless the consent of Congress thereto should be given between now and the 3d day of March next, the whole proceeding which had taken place was void, and the question would be referred back to Massachusetts. Several attempts had been made within the last twenty years, to attain the object, which, as far as regarded the consent of Massachusetts and the people of Maine, was now accomplished—we have now, said he, a population of three hundred thousand, and are separated by the intervention of another state from old Massachusetts. Will any one say, we ought not to be admitted into the Union? we are answered, Yes; and that, unless we will agree to admit Missouri into the Union unconditionally, we ought not to be admitted! I hope the doctrine did not extend quite as far as that. [Mr. CLAY here said, in an under-tone, Yes, it did.] I hope, said Mr. H. the gentleman does not mean to put the question on that footing: The subjects are wholly unconnected; and if, on the subject of the proposed restriction on Missouri, I held not the opinion which I have heretofore expressed, if I were to be told that Maine was not to be admitted into the Union unless Missouri was also unconditionally admitted, I should forfeit the chance of Maine, rather than forfeit my opinion. Mr. H. said, he hoped, therefore, that the gentleman did not mean to connect this question with that; that he did not mean to say, that, though Maine is entitled to admission; though her claims are fair and undeniable, she shall not be admitted, unless another state should be admitted whose claims may not, in the opinion, of a majority of this house, stand on the same footing. Mr. H. trusted, he said, that Missouri would be admitted. The doctrines which the Speaker considered as dangerous; Mr. H. said, he too disclaimed; but he equally disclaimed the doctrine, that

Missouri and Maine should be put on the same footing. They stand differently. In regard to Maine, there is no contested question of restriction or non-restriction: she stands on her own ground; she shows that she has fulfilled the conditions required of her by Massachusetts, and asks your consent, which is necessary to her taking rank among the States. And how is it suggested that you shall answer her? Why, in as much that there is a dispute between Congress and the territory of Missouri, and there is no dispute respecting Maine, she is not to be admitted, unless Missouri is admitted without condition! Mr. H. said, he hoped those two subjects would not be united. He did not perceive any connection between them. He was perfectly willing to go into the consideration of the question of the representation of Maine, but he did not think it necessary now.

Mr. LIVERMORE, of N. H. said, the question before the committee he took to be simply this, whether the committee should rise and report the bill now before them. He asked the honorable gentleman from Kentucky, whether he was of opinion that Congress could impose any restriction on Maine? That question the gentleman would, he knew, answer in the negative. Why then was the time of the house taken up in an unnecessary discussion? It had been said, that, if restrictions were proposed on Missouri, Maine and Missouri ought to come into the Union, hand and hand together. Now, Mr. L. said, it was very well known, that every one who contended for the restriction on the new states, beyond the Mississippi, had gone on the ground that the territory acquired by purchase from France stood on a distinct footing, and not on the same footing as the old states. Why did not the gentleman, when the state of Alabama was admitted in the Union by a bill passed at this session, make the objections which he had now raised to the admission of Maine? That bill, however, had passed through this house with as much celerity as was usual with bills of a public nature—to say no more of it. If no difference of opinion existed as to the propriety of admitting Maine into the Union, why was the house impeded in its progress through the bill by arguments which applied to another question, and not this?

Mr. CLAY remarked, that, since the question was put, he would say at once to the gentleman from Massachusetts, and his worthy friend the Chairman of the committee on the Post Office and Post Roads, with that frankness which perhaps too much belonged to his character, that he did not mean to give his consent to the admission of the state of Maine into the Union, as long as the doctrines were upheld of annexing conditions to the admission of states into the Union from beyond the mountains. Equality, said he, is equity, if we have no right to impose conditions on this state, we have none to impose them on the state of Missouri. Although, Mr. C. said, he did not mean to anticipate the argument on this subject, the gentleman from New-Hampshire would find himself totally to establish the position that, because the territory of Missouri was acquired by purchase, she is our vassal, and we have a right to affix to her admission conditions not applicable to the states on this side of the Mississippi. The doctrine, said Mr. Clay, is an alarming one, and I protest against it now, and whenever or wherever it may be asserted, that there any rights attaching in the one case which do not in the other; or that any line of distinction is to be drawn between the Eastern and the Western

States. It is a distinction which neither exists in reason, nor can you carry it into effect in practice. But Mr. C. said, he did not mean to go into the subject. It was proper and fitting, however, in his opinion, that this bill should be delayed; that the House should not act on the one bill until it could also act on the other for the admission of a State in the West. But it seemed there was a particular aversion to the connection of Maine and Missouri. If he was not much mistaken, Mr. C. said, those who now objected to such an alliance, were the advocates of the alliance in the case which he had quoted as a precedent, and had succeeded in keeping Kentucky out of the Union for some twelve or eighteen months, because Vermont was not ready to come in and, when ready, connected them in the same bill. I am glad to hear, said he, from the gentleman from Massachusetts, that that old and venerable Commonwealth has given to Maine till the 3d of March to come into the Union, or rather has allowed to Congress till the 3d of March to admit her. It is a good long time to the 3d of March—at least 60 days—and in that time much light may be shed on the principles which are to govern us in the admission of new states into the Union. What occasion, then, for haste? The gentleman from Massachusetts, Mr. C. said, was not unwilling to follow a part of the precedent of 1791; but, when the other part of it was suggested for his imitation, it was most unreasonable! The gentleman had himself shewn that it was not now proper to act conclusively on this bill; for, has he not told the House, asked Mr. C. that he has not prepared a proposition respecting the representation of Maine? When will he do it? Supposing we have a right to take seven Representatives from Massachusetts, and give them to Maine, what will be the condition of the gentlemen who now represent those seven districts of Massachusetts? But, it was a question, he said, whether it was in the power of Congress to disfranchise Massachusetts, by taking from her seven, or any other number, of her Representatives. These matters ought to be duly considered; and gentlemen should be prepared to act on them. Why pass this bill with such speed, and, after it passes, proceed to consider the difficulties respecting the subject which gentlemen acknowledged to exist? Suppose, after the law was passed, and difficulties respecting the representation in Congress should be discovered to be so insuperable, that Maine could have no representation. Mr. C. said he presumed she would not be willing to come into the Union on that footing, whilst her present situation was different, that portion of Massachusetts having in fact seven Representatives in Congress. Suppose, said he, I was mistaken in my doctrine respecting restriction on new states, and that you have a right to measure, justice by different standards: why do not the friends of restriction come forward, and propose a restriction on Maine, if not the same as that proposed to be imposed on Missouri, on some other point? To pass this bill in its present shape, he said, would be an act of half-legislation; and it ought not to be sent to the other branch of the Legislature, without giving to the state of Maine (what was of essential importance,) the representation in the Union which was due to its numbers, and required by its interests. If the gentleman wanted time to prepare the necessary amendments on this subject, Mr. C. said, he would give him time by postponing the bill—at the same time, repeating, that he was not desirous to defeat the admission of Maine into the Union.

Mr. WHITMAN, of Mass. said, that the gentleman had avowed his object in opposing the progress of this bill, with his usual and characteristic frankness; which, he hoped, would constitute a sure pledge that he would give up his opposition, if it should appear not to be well founded. The gentleman had expressed a wish to unite the two questions of Maine and Missouri. It had sometimes occurred, Mr. W. said; when one branch of a legislature refused its assent to a measure which had passed the other, that the object of the latter was obtained by taking the obnoxious proposition to some favorite measure of the former: and, as Mr. W. understood the honorable Speaker, he had declared that he would go on this principle in the admission of new states into the Union; and that, in this case, he would not admit Maine unless tacked to Missouri—he would admit both at the same time, and both on the same principles. Now, Mr. W. said, he held that there was no similarity in the two cases. The Speaker would certainly do the gentlemen who were opposed to the admission of Missouri unconditionally into the Union, the justice to believe, that they were honest and sincere in their opposition to it, and that they did believe that Congress have a right to impose conditions on her admission, and they did further believe the proposed condition to be expedient. Here, then, was a part, perhaps a majority, of Congress believing the right of annexing conditions to the admission of Missouri into the Union. How was it with regard to Maine? Why, not one individual member in this House—not the honorable Speaker himself, supposed that any condition ought to be annexed to her admission: on the contrary, he had avowed his belief that she ought to be admitted without condition. Ought not every case to stand on its own bottom? Would the Speaker consider it consistent with sound principles to say that he believed Maine ought to be admitted, and yet refuse to admit her unless Missouri should also be received, as he wishes, unconditionally into the Union? Such a refusal would be a mere political expediency; it would be to accomplish, by improper means, what could not otherwise be accomplished—a contrivance to get the house to do what they do not approve, or leave them the alternative of admitting to do what, even according to the Speaker's own position, ought to be done. Was it proper, Mr. W. asked, to make the interests of Maine a sacrifice to such a policy? Was it Maine, he asked, who stood in the way of the admission of Missouri, or was it something else? And, if not, ought Maine to fall a sacrifice to a scheme for compelling Congress to admit Missouri without any condition? He hoped the honorable Speaker would revise his decision; and, if he did, Mr. W. was sure he would decide differently.

With regard to other grounds traversed by the Speaker, which seemed only to come in aid of his main object, Mr. W. confessed himself to be in more doubt. He did not believe it was in the power of Congress to say that, of twenty representatives which Massachusetts has on this floor, seven should be sent home; nor did he believe it in the power of Congress to select the seven to be sent home. This difficulty, however, he believed, might be gotten over, but, he feared, not in the way which had been contemplated. He believed Congress might make a provision that the seven representatives from the districts in Maine should, for the present Congress, be considered as the representatives of Maine, and the remaining thirteen as the representatives of Massachusetts. This

course, whilst within the power of Congress, could not but be acceptable to Massachusetts as well as to Maine. By authorising the Convention of the People of Maine to form a constitution of state government, Massachusetts must have been considered as consenting to have her representation curtailed. If the section reported by the select committee had been permitted to remain in the bill, a proviso of this description might have been added, and, in this way, every difficulty have been removed. However, Mr. W. said he had not objected to striking it out, in deference to what he supposed the better judgment of several gentlemen from Maine and Massachusetts, who thought it better that this provision should be the subject of a separate bill. With respect to the apportionment of representation, he did not believe Congress were under any necessity of making it at the moment after the census was taken; he thought it might be made at any other and intermediate time. Whatever arrangement might be made so as to reserve their respective portions of representation, Mr. W. said he was sure both Massachusetts and Maine would be satisfied. The former would not expect to hold her whole present representation, after the severance of Maine, as Virginia did after the state of Kentucky was formed from territory within her limits.

The honorable Speaker, Mr. W. said, had given the house a piece of history which he had never heard before. He was apprehensive the honorable Speaker might have been misinformed. He understood him to have said, that Vermont and Kentucky had been tacked together, and the admission of one had been made necessary to that of the other; and, further, that the objection to the admission of Kentucky came from the eastern and northern sections of the Union. This, Mr. W. said, he had never heard before. If the gentleman judged from the fact that the statute book showed them both to have been admitted at the same time, it was as fair to infer that the objection came from the South as that it came from the North. But, be the fact in that case what it may, said Mr. W. it ought to make no difference in regard to the admission of Maine. Because Congress may at any former period have done wrong, will the honorable Speaker insist upon our doing so too? The Speaker, he said, had not commended, but rather reprobated the alleged delay of the admission of Kentucky for the purpose of including Vermont, &c. if he reprobated it in that case, it was because the thing was incorrect in itself. If so, certainly the Speaker would not persist now in contending for a measure which was then wrong; but would give it up as incorrect at all times.

With respect to the question of imposing conditions on the admission of the new states, Mr. W. pointed to the act of admission of Louisiana into the Union. Were there no conditions there, he asked, which conflicted with the absolute sovereignty of an independent state? There were conditions imposed on Louisiana infinitely more numerous than were proposed to be imposed on Missouri. She was required to make and maintain a variety of municipal regulations, which no other state had been required to do. One stipulation was, that the trial by jury should be established and maintained. What principle could be nearer and dearer to the hearts of Americans than the right of establishing a judiciary, or regulating it as they thought proper? Yet, Mr. W. said, he had heard no one object to these restrictions. In relation to the states admit-

ted in the Western country provisions had been inserted in the act of admission, requiring that the lands of the United States should not be taxed; and not only so, but that lands of individuals, the lands given to soldiers, should not be taxed for a certain number of years. Mr. W. asked, whether the power of laying taxes was not one of the most sovereign which could be exercised; and if, in a particular like this, a condition could be imposed by Congress, should they not likewise impose the condition which had been contemplated in respect to Missouri? Mr. W. concluded by declaring the main ground taken by the honorable Speaker to be wholly untenable, and that the only serious objection he had raised to the progress of the bill could be obviated, by an amendment, with the greatest ease.

Mr. Holmes again rose. The hon. Speaker, in the course of his remarks, had said, that equality is equity. So it is, said Mr. H.—I am disposed to proceed; and apply that principle to the present case, and I ask the gentleman to go with me and do likewise. The United States were thirteen in number when they formed the present compact; and among the provisions was one, that new states may be admitted into the Union, to be formed out of the original, with the consent of the states and of Congress. And how had equality proceeded since the adoption of the constitution? A state had been formed from a part of the territory of Virginia, and one from North Carolina; Ohio, Louisiana, Indiana, Mississippi, Illinois and Alabama, had been successively admitted from the territories. No division of any state had in the mean time taken place in the North or East, nor had any new state been erected there. He trusted, he said, that he should not be accused of ever acting contrary to the principles of equality; he had no wish that the north & east should have privileges not enjoyed by the South and West—a doctrine against which he had protested in dangerous times, and against which he now protested. We are now told that our application is just, and we have certainly not been importunate; yet, unless we will do towards another section of the Union what we ourselves believe to be wrong, you will not do what in your consciences you believe to be right. The hon. Speaker was mistaken, Mr. H. said he believed, with respect to the union of Kentucky with Vermont, in their admission. Vermont, Mr. H. said, was a separate state during the war, raised her own troops and paid them, and had a claim to admission wholly independent of any other state. Two Representatives, however, were given to each state; the same representation being given to Kentucky, who was already represented as to Vermont, who was before unrepresented. This certainly shewed no particular partiality or favoritism to the East.

As regards the present representation, it was not for Congress to decide who were to continue to be and who to cease to be, members of the present Congress; but it was for this house, which was the sole judge of the elections and privileges of its own members. Congress had no more power over the representation of any state in Congress than this house had over the members of the Senate. The section which related to the representation, therefore, had been properly stricken out of the bill. With regard to the apportionment to be made of the future representation of Maine in this house, until the next enumeration takes place, was there any fear that it would not be made accord-

ing to the provisions of the constitution? On this subject, there was a perfect accord between Maine and Massachusetts: the latter had consented that the representatives from the districts contained in Maine should be considered as the Representatives of the State of Maine, and that her representation should be proportionally reduced, &c.

Mr. H. hoped that the subject of the representation of Maine in Congress would not be connected in the bill with that of her admission into the Union; neither, he hoped, would the Maine question be connected with that of Missouri. He would not refuse justice in one case unless injustice was done in another. Was it right to do so? Suppose we had said, when questions respecting the admission of new States have been proposed, that we would not admit them unless they would agree that, whenever application was made by the State of Maine for the purpose, she should be admitted. That condition would have been wrong. Let each claim stand on its own footing. I ask of gentle men, said Mr. H. to do as we have done, and as I, as an individual, shall do when the other subject presents itself for consideration. Do gentlemen calculate on more liberality on the Missouri question, when it comes up, in consequence of the opposition now made to this bill? If they do, they are mistaken: gentlemen in this house are not to be driven from their positions. Mr. H. concluded by saying that he had hoped there would be a fair and liberal vote for the admission of Maine without condition: he yet hoped it, though, from what had taken place, there was some reason to fear there would not.

Mr. CLAY said that, with respect to uniting the two states of Maine and Missouri in one act, he had not intimated any intention at present to connect them. But, in reference to the case which he had referred to as a precedent for such a connection, the gentleman from Massachusetts had professed his ignorance of it. The gentleman, Mr. C. said, might never have heard of it, and, as he had so said, doubtless never had heard of it; but, if the gentleman was not informed on the subject, he (Mr. C.) hoped he would allow to him the benefit he had derived from having participated, in some degree, in the transactions of that day. I can assure him, said Mr. Clay, that the proposition came from the North, to delay the admission of Kentucky into the Union, until Vermont, was ready to come in. But the gentleman perceived great injustice in such a proceeding on the present day: on that head, Mr. C. said he would recommend to his recollection the old anecdote of the parson and the bull. He professed that he could not see the great injustice of a proposition, if now made, to connect the admission of the two states together. A state in the quarter of the country, from which I come, said Mr. Clay, asks to be admitted into the Union. What say the gentlemen who ask the admission of this state of Maine into the Union? Why, they will not admit Missouri without a condition which strips it of an essential attribute of sovereignty. What then do I say to them? That justice is due to all parts of the Union; your state shall be admitted free of condition; but, if you refuse to admit Missouri also free of condition, we see no reason why you shall take to yourselves privileges which you deny to her—and, until you grant them also to her, we will not admit you. This notion of an equivalent, Mr. C. said, was not a new one: it was one upon which commonwealths and states had acted from time immemorial. But he did not mean to

press this part of the subject—he would put it aside, and confine himself to the single point, whether it was proper to pass this bill, without incorporating in it some provision on the subject of the representation of Maine? This was the point on which he desired a decision before the bill passed. Were he to permit himself again to glance at the case of Missouri, he would say, there was a wide difference, in one respect, between that case and the case of Maine; and the former most urgently required the attention of the house. The one was in the actual enjoyment of the advantages of self government—was already in the confederacy as a competent part of a highly respectable state—was heard and represented by a phalanx of seven members on this floor. Whilst Missouri was subjected to arbitrary government—for he held that, whenever a people are subject to a government under an authority which is as to them foreign, they being unrepresented, that government is arbitrary, whatever be the character of its measures—no boon from Heaven, in his estimation, being more inestimable than the privilege of a people to govern themselves—and no political state more intolerable than that of having laws, and those most solemn of all laws, constitutions, imposed upon a people without their consent. Precedents might be found for such proceedings, but, happily for the new world, not in this part of the globe, but in the other hemisphere, and recently too, at the close of one of the most memorable struggles in which any portion of the human race had ever been engaged. Missouri was unheard on this floor; she had not twenty votes to spring up in vindication of her rights and defence of her interests: this infant, distant territory, without a vote on this floor, was in no condition comparable to that in which Maine now stood. But, he said, he would not press this subject further.

There were difficulties, it was admitted, in regard to the representation of Maine; and it was questionable, at least, whether, under the Constitution, Congress could subtract from the number of Representatives Massachusetts now has, any portion of them. Could any state by her consent, grant to Congress the power to do so? If in relation to one of its Representatives, can it in relation to the whole of them? If not, in relation to what part? If by the consent of the state this may be done, how is that consent to be given—by the Legislature or by the whole People? If by the whole People, have the People of Massachusetts been consulted on the subject in the present instance? The Legislature, it was true, had passed an act on the subject; but had the Legislature competent authority to do so? Mr. C. did not say that these difficulties were insuperable; he hoped they could be gotten over. But he thought the House ought not to be hurried; that they should take time to consider all the consequences of what they were about to do—the more, as there was no great urgency in the business. He thought, he said, that Maine ought to be admitted into the Union: he thought the same of Missouri; and although he might be forced to withhold his assent to the admission of Maine, if a majority of this House should (which he trusted they would not,) impose unconstitutional restrictions on the admission of Missouri, he should do it with great reluctance. But, in any event, this question respecting the representation of Maine ought to be understood; it ought to be understood which of the Representatives of Maine were hereafter to be Representatives of Massachusetts. There was

nothing in the Constitution of the United States which required that a person should represent the district in which he resides; and the gentleman from Boston was as much the representative of the Maine part of Massachusetts, as he who lived in that district of country. It would be seen, then, that if the difficulties surrounding this subject were not insuperable, they were yet of some magnitude. He therefore moved, that the committee rise, report progress, and ask leave to sit again.

Mr. HOLMES said, that until the honorable Speaker disclosed the whole extent of his objections to the bill, it was impossible, either by argument or amendment; to obviate them, and the Speaker had not yet disclosed them. Mr. H. said he wished to know if the objection which he had urged, on the score of the representation, was the only objection which he had to the passage of this bill. He wished to know, if that objection was gotten over, whether the Speaker would not make the admission of Missouri a condition of the admission of Maine; and called upon him to know whether he should persist in his opposition to that bill, unless this position was given up. For, if that was the object of the gentleman, there was no occasion for the committee's rising. The extent of my plan now is, said Mr. H. that the members hereafter to be elected, shall be according to the population of the two respective portions of the present state of Massachusetts. Is there any objection to this? Does the Constitution prescribe or authorize any thing else? This is what the Congress can do; but they cannot go one step further. The difficulty in regard to the representation in the present Congress, if any, cannot be settled by bill, but must be settled by this House. And do gentlemen mean to contend, that a legislative act shall be postponed to settle a question in regard to member's seats, which may hereafter arise? This would be a course which would for ever postpone the admission of Maine. Mr. H. could not believe, he said, that there could be any serious difficulty on this subject. &c. He concluded by saying, he wished this question to be answered: whether the honorable Speaker meant to make it a *sine qua non* to the admission of Maine, that Missouri should previously be admitted without condition?

Mr. CLAY said, he had always the greatest disposition in the world to oblige the gentleman from Massachusetts and had no objection to be interrogated by him as long as he pleased. The gentleman had asked him, to make objections—against what? The gentleman had brought forward no proposition to which to state objections; and the objection was, that there was no such proposition before the house. The bill, as reported, did contain a provision that Massachusetts should have hereafter thirteen, and Maine seven representatives, but which of the present twenty were to be assigned to Maine, and which to Massachusetts, it did not provide. Mr. C. said it did not belong to him, but to the gentleman from Massachusetts, to prepare an amendment on that subject. After these difficulties were gotten over, Mr. C. said he could satisfy the gentleman on the other point. If he had not already, however, been sufficiently explicit, he was afraid he should not be able to satisfy the gentleman on that head. The only question now was on the subject of the representation, which certainly ought to be adjusted by this bill. Mr. C. said he found the gentleman was throwing out his net; it was quite evident he was not satisfied himself what was to be the rule on this head; and his colleague had ac-

knowledgeed that it was a matter of some difficulty, but thinks that an amendment will put it all right. Well, Mr. C. said, if that was the matter, let the amendment be prepared; and let the committee rise, to give the gentleman an opportunity of preparing it.

Mr. STOWES, of New York, said, besides the difficulty already stated, there was another point on which he wished some information, at the same time that he thought it proper to declare that he was in favor of the admission of Maine into the Union, without reference to Missouri. The constitution declared, that no state shall enter into any compact without the assent of Congress. There had been certain articles of stipulation agreed upon between Massachusetts and the People of Maine, among which was one, for example, securing to Maine her proportion of all monies which should be received from the government of the United States, under the claims of the commonwealth, for militia services, during the late war, &c. Ought not the consent of Congress to be given to these stipulations?

Mr. HOLMES said, that the clause of the constitution which had been alluded to, obviously referred to compacts or treaties with foreign powers, and not to agreements between states. But, if otherwise the consent of Congress could be given after, as well as before the making of the compact.

Mr. FOOT, of Connecticut, said, he rejoiced that the question on this bill was now narrowed down to one point—a difficulty in respect to the representation. Would it not, he asked, be in the power of the two states to settle this question between themselves, without agitating it on this floor? Can we, said he, deprive Massachusetts of any part of her representation? She has twenty representatives on this floor, and will continue to have them. Is the objection to her keeping them, to come from Kentucky? No, it is to come from Maine. If she has no objection, are we to object? Certainly not. Was there, Mr. F. asked, any difficulty in regard to the right of a representative, after his election, to remove out of the state which he represents, into another? He presumed not; for such cases had occurred, and no exception had been taken to the right in those persons to retain their seats. If Maine be willing, and Massachusetts be satisfied, said Mr. H. ought not we to be? He could see no necessity for stumbling here for hours over this objection. He was happy, he remarked, that the question was now stripped of every exterior consideration, and that the House had to decide only on the plain question, whether Maine should be admitted or not.

Mr. STOWES said he had merely thrown out the suggestion respecting the constitutional provision regarding compacts, for the gentleman from Massachusetts to consider it. Mr. S. added, he was the more induced to do it, from the earnest desire that Maine should not lose the benefit of her share of the moneys to be received from the United States under the Massachusetts' claims!

Mr. HOLMES rejoined, by a sportive remark, not distinctly heard.

Mr. CLAY said he was glad the gentleman from Connecticut had furnished the House with some lights, to shew where they were. But there was before the House no proposition on the subject of representation: it was that, which he wished to see—and, if the gentleman from Connecticut would prepare one, the committee would probably be obliged to him for giving them something definite to act on.

Mr. FOOT said, he was prepared to act on the sub-

jeet before the House, no proposition being necessary on a matter which it would be properly left to Massachusetts and Maine to determine. This solution of the difficulty would happily relieve the subject from the perplexity under which the honorable Speaker had seemed so much to labor during his addresses to the House.

Some other good-natured remarks preceded the rising of the committee, which took place at the usual hour.

On the next day, the House again went into committee on the subject of this bill; but the debate was not resumed; and the committee immediately rose and reported the bill.

On the question to concur in the amendment made in committee of the whole, by striking out the second section, much debate took place; in which Messrs. Barbour, Hardin, and Brush, took part, in addition to the gentlemen who spoke on the preceding day. The debate turned on the question of sequestration solely; and it is thought, after the sketch given of it in the preceding day's debate, would not interest the reader much. The debate resulted in concurring with the committee of the whole in striking out the second section, and in the rejection of several amendments proposed by Messrs. Whitman, Storrs, &c. as stated in the National Intelligencer, of the 1st instant.

IN SENATE.

MONDAY, JANUARY 10.

Sundry memorials and petitions were presented and referred; amongst them a petition of the Bank of the Metropolis, for a renewal of their charter.

The President laid before the Senate a letter from the Commissioner of the General Land Office, transmitting a report of the Register and Receiver of Public Moneys of the Eastern District of Louisiana.

The President also communicated the annual Report of the Commissioners of the Navy Pension Fund.

Several private bills from the other House, heretofore referred to committees of the Senate, were reported without amendment.

The Senate resumed the consideration of the report of the committee on Pensions, made on the 5th instant, against the expediency of reviving the pension act of 1806, and concurred therein.

The resolution offered by Mr. VAN DYKE on the 6th inst. was taken up and agreed to.

The bill to continue for a limited time certain extra clerks in the offices of the Third Auditor and Second Comptroller, was taken up, amended, and ordered to a third reading—[and was, on the following day, read a third time and passed.]

Mr. DICKERSON's resolution for amending the Constitution, was further postponed to Wednesday.

The engrossed bill establishing a Circuit Court in the District of Maine, was read the third time, passed, and sent to the other House.

TUESDAY, JANUARY 11.

Mr. WILLIAMS, of Miss. from the committee on Public Lands, reported a bill, making further provision for the sale of public lands; which was read.

The following resolution, submitted yesterday, by Mr. WILSON, was taken up and agreed to:

Resolved, That the committee on military affairs be instructed to enquire into the expediency of allowing to officers of the army a specific sum monthly, in lieu of their present pay, rations, and emoluments.

The following motion, submitted yesterday, by Mr. THOMAS, was taken up and agreed to:

Resolved, That the committee on Public Lands be instructed to enquire into the expediency of establishing additional districts for the sale of the Public lands in the state of Illinois.

The following resolution, submitted yesterday, by Mr. EAROX, was also considered and agreed to:

Resolved, That the committee on the Judiciary be instructed to enquire whether any amendments can be made in the criminal code of the United States, by which to punish persons guilty of forging papers or vouchers necessary to the establishment of any claims now or hereafter to be brought against the Government of the United States.

The Senate, in concurrence with a motion yesterday laid on the table by Mr. ROBERTS, changed the hour of meeting, for the present, to 12 o'clock.

The following written message was received from the President of the United States, by Mr. J. J. Monroe:

To the Senate of the United States:

In compliance with a resolution of the Senate of the 20th of January 1819, requesting me "to cause a report to be laid before them, at their next session, of such facts as may be within the means of the Government to obtain, shewing how far it may be expedient, or not, to provide by law for clothing the army with articles manufactured in the United States:" I transmit a report from the Secretary of War, which, with the accompanying documents, comprehends all the information required by the Senate in their resolution aforesaid.

JAMES MONROE.

Washington, January 8th, 1820.

The message was read, and, with the documents, ordered to be printed.

The Senate resumed, as in committee of the whole, the bill from the House of Representatives, in addition to the act making appropriations for the Navy for the year 1819.

Mr. PLEASANTS, chairman of the Naval committee, explained the causes which produced this bill, and which made this appropriation necessary, and took a view of its details, to satisfy the Senate of their propriety; after which

The bill was ordered to a third reading.

The bill for the relief of the representative of Philip Barbour, deceased, was also ordered to a third reading.

The report of the committee on Pensions, unfavorable to the petition of Lathrop Davis, and that of the committee of Claims, unfavorable to the petition of Thomas Hightower, were severally taken up and concurred in.

Mr. JOUNSON, of Kentucky, laid on the table a resolution proposing an enquiry into the expediency of making further provisions for the amelioration of the condition of the Indians, and for securing the peace of the frontiers.

Agreeably to notice yesterday given, Mr. HUNTER asked leave, and introduced a bill to continue in force an act providing for reporting the decisions of the supreme court; and

After some minor business, the Senate adjourned.

WEDNESDAY, JANUARY 12.

Mr. SMITH, of S. C. from the committee on the judiciary, reported a bill to establish an uniform system of Bankruptcy throughout the United States; which was read.

The bill from the other House making certain appropriations for the naval service, in addition to those of last year, was read the third time and pas

sed; as was also the bill from the other House for the relief of the heirs of Philip Barbour.

The Senate then resumed the consideration of the joint resolution introduced by Mr. Dickerson, to amend the Constitution so as to produce an uniform mode of electing electors of President and Vice President of the United States, and members of the House of Representatives.

THURSDAY, JAN. 13.

The two private bills yesterday ordered to a third reading, were read a third time and passed.

THE MISSOURI QUESTION.

The Senate then, according to the order of the day, took up, as in committee of the whole, the bill to provide for the admission of Maine into the Union, with the amendment reported thereto by the committee of the Senate. [This amendment embraces provisions for authorising the formation of a Constitution of state government for Missouri, without restriction.]

Mr. ROBERTS moved to recommit the bill to the committee, with instructions so to modify their report, as to leave the bill, as it came from the House of Representatives, a provision for the reception of the state of Maine only, into the Union.

This motion gave rise to a debate, in which Mr. SMITH, Mr. LLOYD, and Mr. MACON opposed the motion, and Mr. ROBERTS, Mr. MELLER, Mr. BURMILL and Mr. MORRILL supported it.

When, on motion, the Senate adjourned, and the debate will be resumed to-morrow.

FRIDAY, JANUARY 14.

Mr. SANFORD, from the committee on finance, to whom had been referred the bill "to continue in force the act 20th April, 1818, entitled an act supplementary to an act entitled an act to regulate the collection of duties on imports and tonnage, passed 2d day of March, 1799," with an amendment, the object of which is to limit the duration of the bill to two years, instead of leaving it indefinite, reported the same. The subject is yet to be acted on.

The Senate resumed the consideration of the subject of the Maine bill, (as proposed to be amended by adding Missouri to it,) and the proposition by Mr. Roberts, to recommit the bill with instructions to the committee to separate the two, and report Maine in a distinct bill, as it came from the other house.

The Debate on this question was resumed. The motion for recommitment was opposed by Mr. Barbour, Mr. Logan, and Mr. Smith, and supported by Mr. Otis, Mr. Roberts, and Mr. Dana.

The question thereon was then taken by Yeas and Nays, and decided in the negative.*

For recommitment	18
Against it	25

So the motion was negatived; the Senate thus refusing to separate the conjunction of the two states of Maine and Missouri.—Adjourned to Monday.

BALTIMORE, Jan. 15.—Nathaniel Williams, Esq. is appointed assistant Attorney General, and Thomas Kell, Esq. assistant Prosecutor for Baltimore City Court.

The office of the commissioner of the revenue, at Washington under the superintendence of Mr. Samuel H. Smith, was abolished on the 1st inst. agreeably to law; and the balance of unfinished business transferred to the 5th auditor's office, under the direction of Mr. S. Pleasanton,

APPOINTMENTS

By the President, by and with the advice and consent of the Senate.

The President, by and with the advice and consent of the Senate, has re-appointed the following persons who were commissioned during the recess of the Senate:—

Edward Coles, of Illinois, to the Register of the Land Office at Edwardsville, in the state of Illinois.

Charles S. Crosby, of Louisiana, to be Register of the Land Office at St. Helena.

Fulwar Skipwith, of Louisiana, to be Receiver of Public Monies for lands of the United States, at St. Helena.

Warren Brown of Illinois, to be receiver of public monies for lands of the U. States, at Kaskaskia.

Thomas Carberry and *Ezekiel M. Daniel*, of the District of Columbia, to be justices of the peace in and for the county of Washington, in said District.

Richard W. H. Habersham, of Georgia, to be Attorney of the U. States for the Georgia district.

Jonathan Kiersey, of Pennsylvania, to be receiver of public monies for lands of the United States, at Detroit.

Robert Tillotson, of New-York, to be attorney of the U. States in and for the southern District of N. York.

Daniel Schnebly, of Maryland, to be collector of direct taxes and internal duties for the 8th collection district of Maryland.

Eleazer Burnham, of New-York, to be collector of direct taxes and internal duties for the 23d collection district of N. York.

Robert Batie, of Virginia, to be collector of direct taxes and internal duties for the 14th collection district of Virginia.

Theophilus T. Ware, of Pennsylvania, to be collector of direct taxes and internal duties for the 10th collection district of Pennsylvania.

George M. Bibb, of Kentucky, to be attorney of the U. States for the Kentucky district.

James R. Pringle, of S. Carolina, to be collector of the customs for the district of Charleston.

Benjamin Reeder, of Virginia, to be Marshal of the district west of the Alleghany mountain, in that state.

Henry C. Neale, of the District of Columbia, to be Register of Wills for the county of Washington, in said district.

Richard Bland Lee, of the District of Columbia, to be Judge of the Orphans' court for county of Washington, in said district.

Thomson Mason, of Virginia, to be collector of the Customs for the District of Alexandria.

William Hewitt, of the District of Columbia, to be Collector of Internal Duties of the District of Columbia.

Robert Perry, of Tennessee, to be Marshal and for the district of West Tennessee.

John Condit, of New Jersey, to be Assistant Collector for the District of New-York, for the city and port of Jersey.

Theodorick Blund, of Maryland, to be Judge of the United States, in and for the Maryland District.

Roger Skinner, of New-York, to be Judge of the United States in and for the Northern district of New York.

Jacob Sutherland, of New-York, to be Attorney of the United States, in and for the Northern District of New York.

VERY LATE from SOUTH AMERICA.

"St. Thomas, Dec. 15, 1819.

"Bolivar left the Capitol of St. Fe de Bogota, (as you will perceive by the aforesaid Documents) on the 20th of Sept. with 8000 Infantry, Gen. Soublette having previously marched from said Capital with the Vanguard, consisting of the same number, and after having completely defeated the Royalists at Cucuta on the 23d of Oct. under the command of the Spanish General La Torre, he marched to join Gen. Paez, in Chaguaramas. Bolivar had arrived at Mantecal, where all the armies were to be united on the 6th inst. to take up their line of march upon the Coast, the only portion of Venezuela or New Grenada that is in possession of the Spaniards. Caracas de Leon will be occupied by the Patriots during the present month, (as it is not a military post) and the Head-Quarters of Morillo, now in Valencia, will be compelled to quit the same by the commencement of January, and become reduced to the Fortifications of Porto Cabello, which, with a few vessels of war, will soon be obliged to surrender. The forces of the Independents that will open the last Campaign in Venezuela, for the liberty of its heroic inhabitants, will consist of at least 12500 men—viz: Bolivar brings with him in all from the Kingdom 6000 Infantry; the army of Paez consists of 2500 excellent cavalry, and the army of the Oriente under the command of Gen. Marino, 4000 strong. Grand total, 12500. There are at present in Margaritta 1200 English troops, 200 of which only arrived a few days ago in a Transport Brig. Gen. Devereaux was hourly expected with 1500 more, and two armed Corvettes, one of 28 guns: for letters from that General state—he should shortly follow with the aforementioned reinforcements. The expedition will then instantly sail for the adjacent coast of that Island, and march to join the General Army whether in Caracas or elsewhere."

The amount paid on account of pensions to Revolutionary Soldiers out of the U. States treasury, annually, is now upwards of three millions of dollars.

REMARKABLE EVENT.—Brighton, Oct. 21—Yesterday, Mr. Izard, a most extensive merchant in this town, and well known for his having accumulated a large fortune within the last 25 years, died suddenly. Three weeks antecedent to his death he called upon a clergyman of the dissenting persuasion, with a request that he would preach a sermon from the 13th chapter of Judges, verses 21, 22, and 23, at the same time observing, that an impression had been made upon his mind ten years ago, respecting that part of the Bible. Accordingly, on Sunday last, the Rev. Mr. Fawcett preached a sermon from those words, when Mr. Izard listened to with much attention; and, on its conclusion, he fell into a fit, which terminated his existence.

London accounts say, that the Russian Emperor has directed the organization of a representative government, in the more civilized parts of his dominions.

General Bolivar after having accomplished the liberation of a great part of the Interior of New Grenada, has taken up his line of march for Venezuela: he expects to engage the royalists in his route through Cacuta.

On the 14th inst. the store house of Mr. Samuel Decker, at Deckertown, N. J. Sussex county, together with all its contents, were burned to ashes. The books of accounts, notes, Post Office accounts and letters all met the same fate.

United States' troops are mustering at Trader's hill in Georgia: the object is thought to be the occupation of the Floridas.

At Glasgow, on the 2d of Nov. 30000 reformers met, displaying various appropriate emblems, such as caps of liberty, appropriate flags, and a band of music. They were watched by a strong military detachment.

The king of England, now laboring under insanity, and occupying apartments in Windsor Castle, is said to be very interesting in appearance. He looks *a-la-Lear*, with a flowing white beard, and dressed in a fur-lined robe.

The duke of Baden requires all public functionaries to sign their names in a legible hand—a good hint for public officers in this country.

From the Boston Centinel.

THE YANKEE'S THANKSGIVING.

Let the bards of Old England their festivals boast of,

In rhyme's silver fudge each holiday blazon;

Each Yankee, Thanksgiving's pride and the toast of

The theme of all others to lavish his praise on;

When Jim laughs at labour, and Nance decks her hair,

And Polly, in her flunkey, a pink is as nice as

And pumpkins are plenty, and all is so rare,

With ginger and asses, and notions and spices:

And so, do ye see, of the days in the year,

Thanksgiving's a nation's sight—best and most dear.

When the sun o'er the orient mountains is blinking,

The row fares ye neighbors so tiptoe and loving,

Beseige the spread table 'mid smoking and winking.

And taking a bit on't, and pushing and shoving,

If cover'd with pancakes and sweets to the eyes,

Tom, Moll, Dick, and Ben, not a jot or totum

The less would be growing for cakes, pears, and pies;

And pepper and spice, to the tee and ti totum,

And contrive to keep jogging at least through the day,

And whinning and guesing, mirth, notions and play.

But when to the ocean the sun has descended,

And round the bright hearth they at length are paraded;

With pleasure are friend-ship and sentiment blended,

And they list to the song of the times that have faded;

How the red men came down, like the wolf on the fold,

How the war of Quebec was once radden'd with slaughter;

How their fat of Breed's hill are sleeping and coold,

How the fla. of the death fire illum'd the great waters;

When the captive was bound to the stake, till anew,

The tears open brightly, and joys bid adieu.

But anon come the apples, the nuts, pears, and so on

And with them a quantum of shovelling and cracking;

Here's to ye and to ye, miss rings and miss show-on,

With spashing and compliment, giving and backing;

And the seras are all counted; and so, do you see,

'Tis just as I guess'd it there's Tom, Dick and Harry,

May say what they please of Miss N. O. and P.

They have nothing to do but just blush and be merry.

And the tone of food timer, and the first and the song,

Thi the star has descended, their blisses pronong.

And yet do not think, what enjoyments are flowing

O'er the country of pumpkins, of nicknacks and guesing;

That the breast of the yeoman with pride is ne'er growing

To the Author of every beneficent blessing.

In the triumph of feeling, the mingling of love,

In the smiles and the looks, thanksgivings restore him,

The thoughts of Devotion are wait'd above,

To the BEING whose goodness is round him and o'er him;

So wo to the Yankee, and shame, who denies

The Land of Thanksgiving, Plum Puddings and Pies.

OLD TIMES.